

John Hayes, } Appellant.
Esq;

*John Carril, Esq; John } Respond'
Peacock, Fr. Bruning, &c. }*

The Appellant, Mr. *Hayes's* Reply to some scandalous and false Reflections, suggested against him in the Respondent's printed Case.

W Hereas the said Respondent affirms that the Appellant went for *Ireland*, within three days after the Articles; insinuating as if 'twas to avoid his Proceedings in the Purchase of the Lands in Question, and that the same could not be Completed in his Absence.

Answer, That the Appellant and his Circumstances of Estate, both in *England* and *Ireland*, have been always so publickly known, that he never had Reason or Occasion to go privately any where, much less in this Case to undertake a Purchase of *seven thousand Pounds*, which he was absolutely oblig'd to pay according to the Articles, when the Respondents made him a good Title according to their Covenants.

And that no Delay could happen by his Absence, for that he did appoint (as appears by the proofs in the Case) his Nephew, Mr. *Blake*, to accept of Conveyances in his Name in Trust for the Appellant, and left with him in Money more than sufficient to answer his Payment, according to the Articles, with Directions likewise to re-convey the Premises as a Security for the Remainder; but it fully appears by the Proofs, that the Delays and Obstructions were occasion'd by the Respondents not performing their Covenants; and it farther appears by the Proofs, that the Respondents were fully acquainted with his Intentions, with which they were so well satisfy'd, that they did proceed with the said Mr. *Blake* in his Absence in order to settle their Title; and so far was he from going into *Ireland* without an errant or upon any private account, that he went there to attend the House of Commons in Parliament, as a Member thereof, and return'd from thence in about three Months: In which time, not only the said Mr. *Blake*, but also Mr. *Lake*, the Appellant's Agent, had many Meetings and Transactions with the Respondents, and were always ready to perform the Agreement according to the Articles.

The Respondents by their said Case do farther falsely and scandalously insinuate, as if the Appellant by their means had been before that time elected a Member of Parliament for *Winchelsea*.

Answer, That the same is not true, for that it appears by the Return of the Writ, That the Appellant was not elected there till the Year following; and farther saith, That the Respondents had no Interest in that Corporation, and the Appellant hath been always ready to perform his part of the said Agreement; as by the proofs in the Cause appears, and as in his printed Case is mention'd.